

**Minnetonka Planning Commission
Minutes**

April 28, 2022

1. Call to Order

Chair Sewall called the meeting to order at 6:30 p.m.

2. Roll Call

Commissioners Powers, Waterman, Banks, Hanson, Henry, Maxwell and Sewall were present.

Staff members present: City Planner Loren Gordon, Senior Planner Ashley Cauley and Planner Bria Raines.

3. Approval of Agenda

Powers moved, second by Maxwell, to approve the agenda as submitted with the removal of Item 8C at the request of the applicant and additional comments provided in the change memo dated April 28, 2022.

Powers, Waterman, Banks, Hanson, Henry, Maxwell and Sewall voted yes. Motion carried.

4. Approval of Minutes: April 7, 2022

Banks moved, second by Henry, to approve the April 7, 2022 meeting minutes as submitted with the following changes to Waterman's comments on Page 12:

- He likes the two single-family houses and would like to see more. The proposed density could work. The area has single-family housing.
- There is definitely a need for owner-occupied affordable housing. He is interested to see if there is an opportunity for additional single family housing.

Powers, Waterman, Banks, Hanson, Henry, Maxwell and Sewall voted yes. Motion carried.

5. Report from Staff

Gordon briefed the commission on land use applications considered by the city council at its meeting of April 25, 2022:

- Adopted a resolution approving a conditional use permit for an accessory structure in excess of 1,000 square feet at 15518 Minnetonka Blvd.
- Discussed the concept plan for Mills Church at 13215 Minnetonka Drive with the applicant and provided feedback.

The next planning commission meeting is scheduled to be held May 12, 2022.

6. Report from Planning Commission Members

Henry reported that the Minnetonka Energy Action Team will be meeting to create a long-term strategy to reduce carbon emissions by 41 percent and public comments may be submitted regarding the Minnesota Climate Action framework through April 29, 2022.

7. Public Hearings: Consent Agenda: None

8. Public Hearings

A. Resolution approving a parking variance for Goldfish Swim School at 4729 and 4733 Co Rd 101.

Chair Sewall introduced the proposal and called for the staff report.

Raines reported. She recommended approval of the application based on the findings and subject to the conditions listed in the staff report.

In response to Maxwell's question, Raines stated that the city has not received complaints regarding lack of parking for the site. Gordon added that vehicle traffic sometimes becomes congested in the northeast corner.

Don Parish introduced Sara Parish and Christine Clemens. He stated that there would be ample parking spaces. The swim school's peak parking times would be different than the other uses in the complex. Ms. Parish appreciated commissioners taking the time to consider the request. They have been looking for a location since 2018. She is excited to bring water safety and swimming lessons to the community. She estimated that it would take five to six months to construct the building.

Henry liked the proposed use of the space. Mr. Parish explained that he has constructed 130 swim schools across the United States. He already has a contractor hired and permits ready. Ms. Parish said that the pool in Egan has just been filled. It is located in a strip center and the excavation of the pool happened in the strip center. It is a very intricate process. The general contractor has built a swim school in Oakdale and Egan.

In response to Henry's question, Mr. Parish stated that construction materials would travel through the front and back entrances. The site in Egan used four parking stalls to house construction materials.

Henry wants the access road that connects the businesses to remain open during construction. Mr. Parish stated that there would be no blocking off of any thoroughfare during construction.

The public hearing was opened. No testimony was submitted and the hearing was closed.

Powers liked the use for the area. He wished the applicant success. It would be a wonderful addition.

Waterman agreed with Powers. He agrees with staff's recommendation as it pertains to parking specifically. There are overflow parking options. The site has practical difficulties. The variance seems quite reasonable. He supports staff's recommendation.

Powers moved, second by Hanson, to adopt the resolution approving a parking variance for Goldfish Swim School.

Powers, Waterman, Banks, Hanson, Henry, Maxwell and Sewall voted yes. Motion carried.

Chair Sewall stated that an appeal of the planning commission's decision must be made in writing to the planning division within 10 days.

B. Items concerning the Holiday Gas Station at 12908 Minnetonka Blvd.

Chair Sewall introduced the proposal and called for the staff report.

Cauley reported. She recommended approval of the application based on the findings and subject to the conditions listed in the staff report.

Waterman asked if the sign could be left where it is currently. Cauley answered affirmatively.

In response to Waterman's question, Cauley explained illumination requirements.

In response to Banks' question, Cauley explained that the existing conditional use permit restricts the hours of operation of the car wash.

Tony Rammer, owner of Minnetonka Properties Group, applicant, introduced Casey Beaton representing Holiday, Inc. Mr. Rammer stated that:

- The hours of operation would stay the same. The convenience store is open 6 a.m. to 10 p.m. The hours were temporarily changed to accommodate police and fire vehicles at 5 a.m. during the time the police and fire departments were under construction. The car wash is open from 7 a.m. to 8 p.m.
- The equipment inside the car wash has already been reloaded, replaced, painted and sealed on the interior.

Powers encouraged a bike rack be included on the site. Mr. Rammer likes that idea. Powers really likes the proposal's pedestrian amenities. Mr. Beaton said that there would be plenty of room for a bike rack on the back patio.

In response to Banks' question, Mr. Rammer explained that currently 70 percent of the lighting uses LED bulbs which decrease reflection. After the conversion, all of the lighting would use LED bulbs. At 10 p.m., half of the lighting on the canopy would be turned off as a courtesy to neighbors.

Mr. Rammer stated that:

- There would be spots in the back of the building that could house a couple EV charging stations in the future.
- The pumps would be open for self service, 24-hour-pay-at-the pump use.
- There has been no crime at the site for the last three years.
- He gave a couple neighbors across the creek his cell phone number to contact him if there would be an issue once the project would be completed.

In response to Henry's question, Mr. Beaton explained that shrouding and directionally angling the lights may be utilized if needed. That would be addressed during the building permit process when the photometric for the site lighting would be submitted.

In response to Henry's question, Mr. Beaton explained that the previous owner installed a fence to prevent vehicle lights from traveling across the creek to the properties on the other side. The site does not include the property that reaches the creek.

Henry asked if adding a water wheel or mural showing the history of the area had been considered. Mr. Beaton stated that adding a water wheel would cause maintenance and safety concerns.

Waterman appreciated the new pylon sign. He asked if anything would be lost by reducing the height of the sign. Mr. Rammer stated that decreasing the height of the sign would decrease its visibility to motorists.

In response to Chair Sewall's question, Mr. Beaton stated that blue LED lights would not be used anywhere on the building or canopy. It would be reflected on the pylon structure and dimmed for nighttime use. He provided a photo of the new version.

Maxwell confirmed with Mr. Beaton that blue light would reflect around the identification panel and two price panels in the pylon sign. The amount of illumination would be dimmable.

The public hearing was opened.

Claudia Gundlach, 12901 Burwell Drive, stated that:

- Most everything has been mentioned.
- The elevation drawings weren't available until the agenda packet was put on the city's website last Friday before the meeting. She encouraged neighbors be given information sooner.
- She did not think the design would be in character with the Minnetonka Mills area. There was a gas station and liquor store at the site when she moved into her house.
- She hoped that lights would not shine onto her property. The other four businesses have been able to accommodate that.
- It is hard to get a look at the businesses coming up when driving on Minnetonka Blvd. A sign above a car wash would not be needed since a driver would not be able to see the sign driving from either direction.
- She prefers non-lit signs that would have a light from above shining down on the sign.
- She would like more landscaping and water runoff contained to the property rather than water running into the creek and neighboring property.
- She would like an agreement to require that the car wash doors be closed when operating.

No additional testimony was submitted and the hearing was closed.

Cauley explained that a landscape plan would be submitted and reviewed during the building permit process. The parking lot and retaining wall extend to the property line. There is an existing pond that receives drainage. The city is unable to require stormwater management drainage improvements unless the application would include significant site improvements.

Mr. Rammers explained that the dryers are located inside the car wash. The doors automatically close and open when the process is complete.

Henry confirmed with Cauley that part of the retaining wall may be located on another property and would be a property-line dispute handled by the property owners.

Hanson stated that:

- He appreciated the applicant and neighbor attending the meeting.
- The proposal would give the business a fresh look. It would become harmonious with the area over time.
- It would be a good neighbor to have.

Maxwell stated that:

- She prefers to keep the building height where it is. A six-inch façade has no functional value. She did not think it would bring in new customers to have the corners jutting out.
- The new cooler and setback variance for the sign makes sense. She would prefer the sign be smaller and meet the current sign ordinance requirements, but she would rather have it moved out of the sidewalk.
- She suggested a lot of care be taken with the lighting. The lighting of the signs for the carwash entrance and exit do not need to be illuminated at all times. She would prefer to have minimal lighting. Bright colors would not belong at this location.

Powers stated that:

- He agreed that moving the sign out of the right of way is a smart move.
- Minimizing the brightness of the lights would not harm the business and help the neighborhood.
- The pedestrian amenities and bike rack meet the character of the Minnetonka Mills area. People would be able to sit and talk and have a place to convene.
- He likes the proposal overall very much.
- Holiday gas stations are smart operators who like to please the customers.
- He likes that the applicant contacted the neighbors across the creek and gave them his phone number.
- It is the responsibility of the neighbors to let city staff and the owner know if light or sound is reaching their property.
- He supports staff's recommendation.

Banks stated that:

- He agreed with commissioners.
- He encouraged the applicant to continue to be a good neighbor.
- The facelift is much needed.
- He would love to see an electric charging station go in sooner rather than later.
- He encouraged the applicant to check with neighbors regarding the lights when the project is completed.
- He supports staff's recommendation.

Waterman stated that:

- He appreciates the applicant investing in the property and working with city staff.
- He supports staff's recommendation.

- The sign should be moved out of the right of way. He would prefer the sign's height be lowered. He did not think that the proposed sign's height would be necessary.
- The sign's illumination could be kept low to accommodate neighbors.

Henry stated that:

- He generally supports the proposal.
- It is a good use of the space because it is the same use as what is already there.
- The sign location is good.
- He has driven by the site before and could not tell if the gas station was open. A business needs to be advertised. As long as the lights are dim enough to be thoughtful to the neighbors, then the sign location and height would be appropriate.
- He agreed that the increased height of the building would not be needed. He prefers leaving the outside of the building the way that it is. It is homey, cute and fits with the character of the neighborhood.
- He likes that the owner gave his cell number to adjacent property owners. He encouraged keeping the neighbors in the know as soon as possible.
- He appreciated the applicant working with city staff and neighbors to mitigate the spillover-lighting impact.
- He encouraged an electric-charging station be added.

Maxwell stated that she would like to vote to deny the expansion permit to increase the height of the building; vote to approve the expansion permit to put the cooler in the back; and vote to approve the variance for the pylon sign. Gordon stated that separate motions could be made.

Hanson was fine voting separately on the items in the resolution. He supports all of them.

Chair Sewall stated that:

- He supports staff's recommendation.
- He was happy to hear about the improvements to the internal operation of the car wash and drying aspect being located inside.
- The lights being able to dim is a great feature.
- There is a difference between harmonious and identical. The building does not have to be identical to what is already there to be harmonious to the area.

Henry asked for the reason behind increasing the height of the building three feet. Gordon answered to hide the view of mechanical equipment on the roof from the trail.

Powers supports increasing the height of the building as proposed.

Mr. Beaton explained that there has been a change in the technology and industry standards for HVAC and mechanical equipment. The height was designed to provide screening of the mechanical equipment; provide aesthetic cohesiveness between the canopy, carwash and store; and give the site a little more character. The current building has structural limitations. Screening and architectural interest play a part in the design.

Hanson moved, second by Banks, to adopt the resolution approving expansion permits and variances for Minnetonka Properties Group at 12908 Minnetonka Blvd.

Powers, Waterman, Banks, Hanson, Henry, and Sewall voted yes. Maxwell voted no. Motion carried.

Chair Sewall stated that an appeal of the planning commission's decision must be made in writing to the planning division within 10 days.

C. Resolution denying a conditional use permit for a freestanding ATM for Chase Bank at 11400 Hwy 7.

Withdrawn from the agenda at the request of the applicant.

9. Adjournment

Banks moved, second by Henry, to adjourn the meeting at 8:05 p.m. Motion carried unanimously.

By: _____
Lois T. Mason
Planning Secretary